



General Assembly

January Session, 2021

**Committee Bill No. 5461**

LCO No. 4981



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT CONCERNING JURISDICTION OVER DISPUTES IN  
ELECTIONS FOR THE OFFICES OF STATE SENATOR AND STATE  
REPRESENTATIVE.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 9-324 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 Any elector or candidate who claims that such elector or candidate is  
4 aggrieved by any ruling of any election official in connection with any  
5 election for Governor, Lieutenant Governor, Secretary of the State, State  
6 Treasurer, Attorney General, State Comptroller, state senator, state  
7 representative or judge of probate, held in such elector's or candidate's  
8 town, or that there has been a mistake in the count of the votes cast at  
9 such election for candidates for said offices or any of them, at any voting  
10 district in such elector's or candidate's town, or any candidate for such  
11 an office who claims that such candidate is aggrieved by a violation of  
12 any provision of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or  
13 9-365 in the casting of absentee ballots at such election or any candidate  
14 for the office of Governor, Lieutenant Governor, Secretary of the State,

15 State Treasurer, Attorney General, [or] State Comptroller, state senator  
16 or state representative who claims that such candidate is aggrieved by a  
17 violation of any provision of sections 9-700 to 9-716, inclusive, may bring  
18 such elector's or candidate's complaint to any judge of the Superior  
19 Court, in which such elector or candidate shall set out the claimed errors  
20 of such election official, the claimed errors in the count or the claimed  
21 violations of said sections. In any action brought pursuant to the  
22 provisions of this section, the complainant shall send a copy of the  
23 complaint by first-class mail, or deliver a copy of the complaint by hand,  
24 to the State Elections Enforcement Commission. If such complaint is  
25 made prior to such election, such judge shall proceed expeditiously to  
26 render judgment on the complaint and shall cause notice of the hearing  
27 to be given to the Secretary of the State and the State Elections  
28 Enforcement Commission. If such complaint is made subsequent to the  
29 election, it shall be brought not later than fourteen days after the election  
30 or, if such complaint is brought in response to the manual tabulation of  
31 paper ballots authorized pursuant to section 9-320f, such complaint  
32 shall be brought not later than seven days after the close of any such  
33 manual tabulation and, in either such circumstance, such judge shall  
34 forthwith order a hearing to be had upon such complaint, upon a day  
35 not more than five nor less than three days from the making of such  
36 order, and shall cause notice of not less than three nor more than five  
37 days to be given to any candidate or candidates whose election may be  
38 affected by the decision upon such hearing, to such election official, the  
39 Secretary of the State, the State Elections Enforcement Commission and  
40 to any other party or parties whom such judge deems proper parties  
41 thereto, of the time and place for the hearing upon such complaint. Such  
42 judge shall, on the day fixed for such hearing and without unnecessary  
43 delay, proceed to hear the parties. If sufficient reason is shown, such  
44 judge may order any voting tabulators to be unlocked or any ballot  
45 boxes to be opened and a recount of the votes cast, including absentee  
46 ballots, to be made. Such judge shall thereupon, in case such judge finds  
47 any error in the rulings of the election official, any mistake in the count  
48 of the votes or any violation of said sections, certify the result of such

49 judge's finding or decision to the Secretary of the State before the  
50 fifteenth day of the next succeeding December. Such judge may order a  
51 new election or a change in the existing election schedule. Such  
52 certificate of such judge of such judge's finding or decision shall be final  
53 and conclusive upon all questions relating to errors in the rulings of  
54 such election officials, to the correctness of such count, and, for the  
55 purposes of this section only, such claimed violations, and shall operate  
56 to correct the returns of the moderators or presiding officers, so as to  
57 conform to such finding or decision, unless the same is appealed from  
58 as provided in section 9-325.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	9-324

**Statement of Purpose:**

To statutorily confer jurisdiction over contested elections for state legislative offices to the judicial branch.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. CANDELORA, 86th Dist.; REP. DEVLIN, 134th Dist.  
REP. O'DEA, 125th Dist.; REP. PERILLO, 113th Dist.  
REP. REBIMBAS, 70th Dist.; REP. ZUPKUS, 89th Dist.  
REP. ZAWISTOWSKI, 61st Dist.; REP. FISHBEIN, 90th Dist.  
REP. BOLINSKY, 106th Dist.; REP. WOOD, 141st Dist.

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